

## **Kutol Products Company Update on Implementation of GHS Requirements**

**November 24, 2014**

To Whom It May Concern:

GHS stands for the Globally Harmonized System (GHS) of the Classification and Labeling of Chemicals. It is a set of global guidelines that the United Nations developed for ensuring the safe production, transport, handling, use and disposal of hazardous materials. The hope is that every country will adopt the tenants of GHS into their own chemical management systems.

The United States officially adopted GHS on March 26, 2012. For Cosmetics and Over the Counter Drugs, OSHA governs and has adopted GHS into their Hazard Communication Standard as a revision called HazCom 2012. All Kutol products fall under OSHA HazCom standards. As such, we are required to adopt the new GHS SDS (Safety Data Sheets) standard, a 16 section format that replaces the old MSDS. However, OTC Drug and Cosmetics as defined by the FDA, are exempt from having to adopt the GHS labeling requirements. **Therefore, all products (labels) that Kutol produces (including all Private Brands) currently comply with GHS labeling standards. For your records, this is outlined in the OSHA Hazard Communication Standard 29 CFR 1910.1200 as follows:**

### **1910.1200(b)(5)**

This section **does not** require labeling of the following chemicals:

#### **1910.1200(b)(5)(iii)**

Any food, food additive, color additive, **drug, cosmetic**, or medical or veterinary device or product, including materials intended for use as ingredients in such products (*e.g.* flavors and fragrances), as such terms **are defined in the Federal Food, Drug, and Cosmetic Act (21 U.S.C. 301 et seq.)** or the Virus-Serum-Toxin Act of 1913 (21 U.S.C. 151 *et seq.*), and regulations issued under those Acts, when they are subject to the labeling requirements under those Acts by either the Food and Drug Administration or the Department of Agriculture.

Kutol's goal was to have all MSDS meet GHS SDS requirements by December 31, 2014, well ahead of the June 1, 2015 deadline. However, due to GHS SDS delays by our suppliers (who have the same deadline), we are targeting June 1, 2015. **Kutol will make every effort to push our suppliers so that we can meet this deadline.**